

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

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E.O. 11652: GDS

TAGS: EGEN, CA

SUBJECT: U.S. COPYRIGHT LAW, MANUFACTURING CLAUSE, AND THE
TORONTO AGREEMENT

REFS: A) STATE 263356; B) OTTAWA 4287

1. U.S. PRINTING INDUSTRY REPRESENTATIVES JOHN GRANT,
PRINTING INDUSTRIES OF AMERICA AND JAMES RATCLIFFE, R. R.
CONNELLEY AND SONS MET WITH STATE AND COMMERCE REPS
NOVEMBER 4 TO DISCUSS PROGRESS TOWARD IMPLEMENTATION OF
TORONTO AGREEMENT.

2. RATCLIFFE SAID THAT TORONTO AGREEMENT, SIGNED IN

MARCH 1968, CONTAINED THESE BASIC ELEMENTS:

(A) AGREEMENT BY U.S. SIDE TO SEEK CANADIAN EXEMPTION FROM
MANUFACTURING CLAUSE IN U.S. COPYRIGHT LAW;

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(B) AGREEMENT BY CANADIAN SIDE TO --SEEK GOC ADHERENCE TO
THE FLORENCE AGREEMENT; --SEEK REDUCTION OF CANADIAN BOOK

TARIFFS NOT COVERED BY FLORENCE AGREEMENT, E.G. CATALOGS,
AND ELIMINATION OF CERTAIN NTBS AFFECTING BOOKS, E.G.

ONTARIO PROVINCIAL BUY CANADIAN REGULATIONS.

RATCLIFFE SAID THAT U.S. AND CANADIAN INDUSTRY REPS WILL
MEET IN BOSTON NEXT WEEK TO REVIEW STATUS OF AGREEMENT
IN LIGHT OF RECENT ENACTMENT OF CANADIAN EXEMPTION FROM
MANUFACTURING CLAUSE.

3. ROUSE (EUR/CAN) REPORTED THAT EMBASSY OTTAWA HAS BEEN
IN TOUCH WITH GOC RE FLORENCE AGREEMENT INTENTIONS.
MATTER IS UNDER REVIEW BY CANADIAN GOVERNMENT, BUT PROMPT
ACTION SEEMS UNLIKELY. WE HAVE INDICATIONS THAT CANADIAN
PRINTING AND PUBLISHING FIRMS ARE HAVING SECOND THOUGHTS
ABOUT UTILITY OF THE TORONTO AGREEMENT. IT COULD DISRUPT
ESTABLISHED BOOK DISTRIBUTION ARRANGEMENTS IN CANADA, AND

THE VALUE OF THE MANUFACTURING CLAUSE EXEMPTION IS
LESSENNED BY APPARENT LOSS OF COST ADVANTAGES CANADIAN
INDUSTRY ENJOYED IN 1968. STATE REPS ALSO SPECULATED THAT
WHILE GOC MAY BE SERIOUSLY CONSIDERING ADHERENCE TO
FLORENCE AGREEMENT, UNILATERAL REDUCTION OF OTHER TARIFF
OR NON-TARIFF BARRIERS OUTSIDE OF MTN CONTEXT SEEMS
UNLIKELY.

4. INDUSTRY AND GOVERNMENT REPS AGREED TO KEEP EACH OTHER
INFORMED OF DEVELOPMENTS. ALL PARTICIPANTS RECOGNIZED
THAT AN ESSENTIAL NEXT STEP WILL BE EFFORT BY U.S.
INDUSTRY TO MOBILIZE CANADIAN INDUSTRY SUPPORT FOR IMPL-
EMENTATION OF TORONTO AGREEMENT. KISSINGER

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